

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JENIFER MARTUCH,)	CASE NO. 1:12CV528
)	
Plaintiff,)	JUDGE CHRISTOPHER A. BOYKO
)	
vs.)	
)	
COMMISSIONER OF SOCIAL SECURITY,)	<u>ORDER</u>
)	
Defendant.)	

CHRISTOPHER A. BOYKO, J.:

On April 4, 2019, Plaintiff filed a Motion for Attorney Fees pursuant to 42 U.S.C. § 406(b)(1). (Doc. 14). On April 5, 2019, the Court referred this matter to Magistrate Judge Kathleen B. Burke for a Report and Recommendation. (Doc. 15). On May 1, 2019, the Magistrate Judge recommended granting Plaintiff's Motion and awarding Plaintiff's counsel attorney fees in the amount of \$5,547.50. (Doc. 18). Defendant has not filed an objection.

Federal Rule of Civil Procedure 72 provides that objections to a report and recommendation must be filed within fourteen days after service. FED. R. CIV. P. 72(b). Defendant has failed to timely file any such objections. Therefore, the Court must assume that Defendant is satisfied with the Magistrate Judge's recommendation. Any further review by this

Court would be duplicative and an inefficient use of the Court's limited resources. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd* 474 U.S. 140 (1985); *Howard v. Sec'y of Health & Human Serv.*, 932 F.2d 505 (6th Cir. 1991); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

Therefore, Magistrate Judge Burke's Report and Recommendation is **ADOPTED** and Plaintiff's Motion is **GRANTED**. Pursuant to 42 U.S.C. § 406(b), Plaintiff's counsel shall be awarded attorney fees in the amount of \$5,547.50.

IT IS SO ORDERED.

s/ Christopher A. Boyko
CHRISTOPHER A. BOYKO
United States District Judge

Dated: May 30, 2019